

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:09CV460-FDW-DSC**

LAVON S. PRESSLEY,)
)
 Plaintiff,)
)
 vs.)
)
 CAROMOUNT HEALTH, INC.)
 et. al.,)
)
 Defendants.)
)
)

ORDER

THIS MATTER is before the Court on “Plaintiff’s Motion to Denie [sic] the Defendants’ Designated Expert Witness Nicole Wolfe, M.D. Participation in the Case” (document #27) filed March 19, 2010. In her Motion, Plaintiff seeks to exclude from evidence in this matter the opinions and testimony of Defendants’ psychiatric expert, essentially on the grounds that Plaintiff disagrees with Defendants’ contention that Plaintiff’s mental and emotional condition are at issue in this case.

As the Court has concluded previously, “Plaintiff has placed her emotional and mental state at issue in this litigation.” See “Memorandum and Order” at 5 (document #25) (granting Defendant’s Motion to Compel and ordering Plaintiff to produce her medical and mental health records). Accordingly, just as Defendants are entitled to discovery of Plaintiff’s medical and mental health records, they may also utilize expert testimony on that issue.

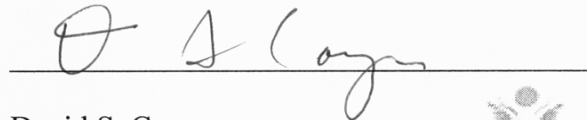
IT IS HEREBY ORDERED that

1. “Plaintiff’s Motion to Denie [sic] the Defendants’ Designated Expert Witness Nicole Wolfe, M.D. Participation in the Case” (document #27) is **DENIED**.

2. The Clerk is directed to send copies of this Memorandum and Order to the pro se Plaintiff;
to counsel for Defendants; and to the Honorable Frank D. Whitney.

SO ORDERED.

Signed: March 22, 2010

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

